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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,602	12/28/2000	Eiichi Sakaue	016887/1029	4816

7590 07/30/2004  
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EXAMINER

GRANT II, JEROME

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/749,602

Applicant(s)

SAKAUE ET AL.

Examiner

Jerome Grant II

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,8-10 and 12-14 is/are rejected.
- 7) ☒ Claim(s) 2,5-7 and 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

JEROME GRANT II  
PRIMARY

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### **Detailed Action**

1.

#### **Informality**

In claim 14, line 3, insert "with" after --accordance--.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 4, 8-10 and 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Guracar.

With respect to claim 1, Guracar teaches an image processing apparatus comprising: an intrablock pixel position judging section (processor 127) for judging pixel position within a block (real time frame) in which pixels constituting an image are divided

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in units of plural pixels (as explained at col. 9, lines 58-64); a shifted pixel designation section 133 for designating shifted pixel to be shifted in accordance with the pixel position judged by the intrablock pixel judging section as explained at col. 10, lines 26-30; a phase calculating section (microprocessor 127 and interface 133) for determining phase quantity of intrablock dot cluster for every block; and pixel value shift section (via the paddle switch or rotating knob on interface 133) for carrying out shift from respective pixels within the block to the shifted pixel on the basis of the phase quantity determined by the phase calculation section and the difference of values after and prior to shifting. Note the angle of pixels is incremented to be aligned with the angle of flow of pixels, within the designated frame area, see col. 7, lines 7-26 especially lines 17-26.

With respect to claim 3, see col. 10, lines 25-30 and 41 which teaches that an operator can designate a number of pixels in a line.

With respect to claim 4, see col. 10, lines 38-42 for the teaching of this limitation.

With respect to claim 8, the position shift is disposed with respect to the x and y components which thereby addresses the main and sub-scanning directions as claimed.

With respect to claim 9, this limitation is taught by the reference considering that the angle of shifting (according to col. 12, lines 23-26 and 37-44) and the arctan according to col.12, lines 48-62, addresses the position shift with respect to angles.

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With respect to claims 10 and 13, Guracar teaches wherein the image processing apparatus further comprises a recording device drive signal (output signal from device 124) generating section for generating a recording device drive signal on the basis of the pixel value shift section (127 and 133).

With respect to claim 12, Guracar teaches an image reading unit (image transducer 130) for reading image (which could be on a manuscript); an image processing unit 127 for processing the read image; an intrablock pixel position judging section (processor 127) for judging pixel position within a block (real time frame) in which pixels constituting an image are divided in units of plural pixels (as explained at col. 9, lines 58-64); a shifted pixel designation section 133 for designating shifted pixel to be shifted in accordance with the pixel position judged by the intrablock pixel judging section as explained at col. 10, lines 26-30; a phase calculating section (microprocessor 127 and interface 133) for determining phase quantity of intrablock dot cluster for every block; and pixel value shift section (via the paddle switch or rotating knob on interface 133) for carrying out shift from respective pixels within the block to the shifted pixel on the basis of the phase quantity determined by the phase calculation section and the difference of values after and prior to shifting. Note the angle of pixels is incremented to be aligned with the angle of flow of pixels, within the designated frame area, see col. 7, lines 7-26 especially lines 17-26.

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With respect to claim 14, Guracar teaches an image formation unit (440 or 132) for forming copy image of the manuscript in accordance with the recording device drive signal (see figures 1B and 15B).

### **3. Claims Objected to as Containing Allowable Subject Matter**

Claims 2, 5-7, 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 703-305-4391. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams, can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JEROME GRANT II  
PRIMARY EXAMINER

J. Grant II